UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
---X

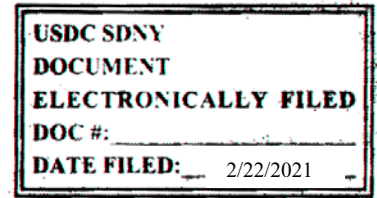JOSUE PAGUADA,

<div style="text-align:center;">**Plaintiff,**</div>

20-CV-09530 (LTS) (SN)

-against-

<div style="text-align:center;">**ORDER**</div>

CAROUSEL CHECKS, INC.,

<div style="text-align:center;">**Defendant.**</div>

---X

SARAH NETBURN, United States Magistrate Judge:

Plaintiff filed the Complaint on November 12, 2020. ECF No. 1. Plaintiff filed proof of service on the docket on February 8, 2021, indicating that the Defendant was served on January 19, 2021, and that the Answer was due on February 9, 2021. See ECF No. 6. To date, the Defendant has not answered or otherwise responded to the Complaint, nor has it made an appearance.

Accordingly, the Plaintiff is directed to file a letter with the Court by March 8, 2021, informing the Court whether he intends to move for default judgment or make some alternative application to the Court. Motions for default judgment must be in compliance with Judge Swain's individual rules of practice:

> **Motions for default judgment.**
>
> A party wishing to obtain a default judgment must notify the Court by letter (copied to the party against which a default judgment is to be sought and filed on the ECF System) of its desire to seek a default judgment. The Court will enter an order directing the party as to whether evidentiary submissions will be required in connection with the motion. Default judgments will be granted only upon written motion with notice to Defendant(s) and their counsel, if known. Copies of the Clerk's Certificate, and of proof of service of the Summons and Complaint and the

Motion for Default Judgment, must be attached to the Motion for Default Judgment, along with any other material the Court directs be included in the Motion papers.

Individual Practices of Judge Laura Taylor Swain.[1]

SO ORDERED.

_____

SARAH NETBURN
United States Magistrate Judge

DATED: New York, New York
             February 22, 2021

---

[1] https://www.nysd.uscourts.gov/sites/default/files/practice_documents/LTS%20Swain%20Indiv.%20Rules%20Jan%2019%202021.pdf.